

August 27, 2007

State of New Jersey
Department of Community Affairs
Office of Smart Growth
Ben Spinelli, Executive Director
PO Box 204
Trenton, NJ 08625-0204

RECEIVED

2007 SEP -4 P 1:11

NJ DEPT OF
COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH

Re: West Amwell Agricultural Retention Plan

Dear Mr. Spinelli,

The attached drafts were prepared in response to the Office of Smart Growth comments, dated December 14, 2006, on West Amwell's petition for Plan Endorsement. Please note the attached documents:

- Letter to Township Committee, February 2, 2007.
- Proposed Action Plan for developing an Agricultural Retention Plan and draft cover letter. These were submitted from the Agricultural Advisory Committee to the Agricultural Retention Plan Committee, created by Mayor Shapella, on May 1 and the West Amwell Planning Board on May 15.

As members of the West Amwell community and original members of the Agricultural Advisory Committee we would like to ensure that our input has been included.

Sincerely,



Bernard Meader



Michael Rassweiler



Harold Shute

Cc (via email):

Barry Ableman, Area Planner, Office of Smart Growth
Monique Purcell, NJ Department of Agriculture

Date: February 2, 2007

From: West Amwell Agricultural Advisory Committee

To: West Amwell Township Committee

Re: Agricultural Retention Plan

Reference: Office of Smart Growth Letter to West Amwell dated December 14, 2006

Dear Sirs,

West Amwell Township is rightfully proud of its agricultural history and concerned for its future. Over the past few years our municipality has worked hard to clearly establish our priority issues. Developing a system that protects our environmental, social and economic structure has been at the forefront. The Office of Smart Growth has accurately stated the importance of "an adopted Agricultural Retention Plan.....that has been developed in consultation with the Agricultural Advisory Committee."

We have reviewed the "Farmland Preservation Plan element of the Master Plan" and feel confident that, with some work, the Township can satisfy the States guidelines. The Township has an exceptional opportunity to build on our partnership with the State to address the critical issue of Agricultural Retention. We believe that West Amwell can develop strategies to encourage investment in agriculture, while protecting our current rural environment. To promote public participation, the Township could host a "Farm Forum" similar to the practice of surrounding Townships.

The Agricultural Advisory Committee would be honored to work with the Office of Smart Growth, and Planning Partners, to make a full assessment of our agricultural viability. To date, we have produced a "report card" on the current Township policies, relating to the 23 agricultural policies in the State Plan. (See attachment). The Agricultural Advisory Committee is prepared, with assistance, to produce an Agricultural Retention Plan that will enhance farm viability in the Township.

We strongly encourage the Township Committee to fully publicize this process. Public involvement will encourage the agricultural community to contribute to policy assessment, as well as planning principles and practices.

West Amwell Agricultural Advisory Committee

cc.

Eileen Swann, Executive Director, NJ OSG, w/o attachment

Barry Ableman, Area Planner OSG w/o attachment

West Amwell Township Planning Board

Township Letterhead
150 Rocktown-Lambertville Rd

DRAFT

Executive Director
Office of Smart Growth
Trenton, NJ 08625

**Re: West Amwell Township Petition for Initial Plan Endorsement
Agricultural Retention Plan**

May 7, 2007

Dear Executive Director,

In West Amwell Township we are proud of our agricultural heritage, as well as our commitment to preserving open space and environmental resources. We are likewise committed to the process of self assessment necessary to promote sound planning. In the interests of preparing a complete application for Initial Plan Endorsement, we are attaching an action plan, for adoption of an Agricultural Retention Plan.

We appreciate the attention the Office of Smart Growth has paid to the clear establishment of an Agricultural Retention Plan and the guidance from your office and the Department of Agriculture. By reviewing the Agricultural Retention Plan guidelines that you have provided, we are confident that we can demonstrate our ability to formulate a plan that will honor our heritage, consider our current realities and provide for future opportunities, consistent with the State Plan.

Our Township encompasses a total land base of approximately 14,000 acres. More than 4,250 of those acres are cropland, 3,500 acres in farmland assessed woodland. Approximately 3,900 acres have been deed restricted to preserve their current use and the Township has active Committees, including but not limited to, Agricultural Advisory, Open Space, and an Environmental Commission.

We respectfully submit the following Action Plan, to develop an Agricultural Retention Plan, that will provide sufficient time for surveying our agricultural community, processing collected data, holding public hearings, preparing a draft, holding final hearings and adopting a final plan by the time of our next Master Plan Review, scheduled for **June 2010**.

It is our opinion that the best illustration of outreach and public education strategies ought to be put to practice in the creation of our Agricultural Retention Plan. The Action Plan will describe elements that must be brought together to encourage sound, long range planning. Periodically, as the Master Plan is updated, the same elements can be reassembled, compared with results from before and the Plan adjusted accordingly.

Respectfully,

West Amwell Planning Community

Township Letterhead
150 Rocktown-Lambertville Rd

PROPOSAL

Action Plan : For the periodic review and renewal of Agricultural Retention Plan

I: Inventory of Agricultural Activity

- Annual collection of data through the use of Farmland Assessments forms.
- Record and publish total acreage of reported agricultural activity.
- Record and publish total acres deed restricted to Agriculture.
- Calculate and publish the change in acreage over time.
- Prepare and publish updated map, showing Farmland Assessed Properties, Preserved Farmland, as well as stream corridors, wetlands and public access.

II: Outreach and Education

Critical to a successful Agricultural Retention Plan is the continued outreach to the community, seeking input and feedback, as well as disseminating information, assessments and changes in policy. The most critical policy the Township can enact to support agricultural input into these plans is to provide sufficient time for policy actions to be publicized, discussed, reviewed and revised. By its nature agricultural managers are extremely busy during the spring, summer and fall, such that significant outreach, education and policy development should be scheduled in the winter months.

Regularly scheduled public workshops to discuss Municipal Policy and the Agricultural Retention Plan should be held the winter prior to Master Plan revisions and significant changes.

III: Simple Statement reflecting the Inventory of Agricultural Activity

The primary production of West Amwell farmers is hay, feedcorn and soybeans. Agricultural activity also includes vegetables, nursery stock, Christmas trees, specialty livestock, horse breeding/boarding, firewood and participation in government programs. The potential exists for operations to specialize in "market niches" like organic production and grassfed livestock. There is an ample pasture base for increases in livestock production as well as a production base of hay to provide winter feed. West Amwell is centrally located to a number of Towns that provide large markets for local production of food crops. Municipal policy provides for "farmstands for the sale of farm produce..." as a permitted use throughout the Township and the potential for cooperative ventures between small scale producers is high.

IV: Statement of Municipal Support

Our Master Plan states, "because this is primarily a farming community, there has been little need to pass supporting legislation." "The Township Committee normally handles the few resident complaints pertaining to farming operations, and the Right to Farm Ordinance 109-64 is generally cited as granting farmers the ability to pursue their occupation without hindrance from "annoyance" issues. The Right to Farm Ordinance was adopted in 1989 and describes, "not by way of limitation"; irrigation, labor, soil amendments, grazing, fences, equipment on roads, vermin control, and associated recreational use. The Ordinance further states that "the purpose of these rights is to produce agricultural products, eg., vegetables, grains, hay, fruits, fibers, wood, trees, plants, shrubs, flower and seeds."

In order to establish a resource for Agricultural Operations, the Township will conduct a review of existing regulations, plans, policies and statements that relate to agriculture. This collection and review will be made available to the public as a Municipal Policy Guide. Regulations should be reviewed for positive and negative impact on Agricultural Operations and the guide should be regularly updated.

V: Preservation of Farmland

West Amwell Township has aggressively pursued farmland preservation since 2000, when it adopted an Open Space Plan and a dedicated Open Space Levy. West Amwell currently assesses a \$.06 per \$100 of assessed value for Open Space preservation. West Amwell also was granted a Planning Incentive Grant in 2004 in recognition of our efforts to define preservation priorities and reach out to landowners. The Township Open Space Plan has established a long term goal of preserving 7,000 acres (or 50%) of the total area. To date land with quality agricultural soil and development potential are top priorities for preservation.

Include Map of Preserved Farmland, including highlighted "priority areas for future preservation."

Describe strategies for engaging those areas designated as priority in preservation.

1. Landowner outreach
2. Explore General Development Plans
3. Explore innovative opportunities to utilize residential investment to capitalize associated agricultural operations – ie. Irrigation systems and greenhouses that filter and reuse residential effluent and waste energy. Community Solar arrays yielding utility income from boundary areas between farmland and residential development.

The long term preservation of farmland will be a function of long term planning. The Agricultural Advisory and Open Space Committees will be most effective at targeting prime land for preservation after the Master Plan designates anticipated growth areas. Once growth areas are defined, by local communities and County projections, saving the prime agricultural soils will be easier to focus on. Infrastructure and housing to provide for increases in agricultural activity, should also be planned for, in association with preserved farmland.

The process of identifying areas of potential growth and preservation should be instigated immediately by reaching out to neighborhoods and residents, seeking citizen input, within specific planning areas. Land holders who are willing, should be encouraged to submit informal "General Development Plans". A strong incentive for landowners to share their long range planning would be to offer free professional review for consistency with Township Land Use Code. This process should be renewed with each 6 year Master Plan Examination.

VI: Municipal Plans

The Farmland Preservation Element of the Master Plan describes how West Amwell can develop the Agricultural Industry. In addition, the Agricultural Retention Plan should regularly update, through surveys to Farmland Assessed property managers, the top ten factors our farmers identify as limiting their economic viability. Equally the Agricultural Retention Plan should survey farmers for possible solutions to these limitations. The conclusions should be included in regularly scheduled updates to the Master Plan.

The problems and solutions will change over time and so will the Municipal Plans to address them. To date the Municipality clearly states the intent "to encourage preservation of prime farmland for agricultural production by protecting the rights of farmers to pursue their craft..."

The Master Plan "strives to preserve a vital agricultural economy in portions of the Township by restricting growth-inducting factors..." There will always be members of the community who feel that the Municipality has unfairly targeted their "land equity." Far from this being a problem, the responsibility of the Municipality can be focused on creating value from non-developed land. For every acre not developed or subdivided, West Amwell landowners have caused a positive tip to the environmental scale and that value should be realized.

VII: 23 Agricultural Policies of the State Plan

Proactive listing of regular actions the Municipality can take to address State Policies.

VIII: Land Use Code and Clustering

The greatest actual threat to farmland is conversion to residential use, particularly when large lots are required. West Amwell has included a Clustering option in the Land Use Code as a tool to provide for approved residential density, without the sprawl associated with large building lots. Due to a requirement of septic systems wastewater disposal systems the typical clustered lots described in the Land Use Code utilize far more land for individual dwellings than needed. The Reserve Septic Ordinance increases the gross impact of individual dwellings on the agricultural land base. The Master Plan clearly states "West Amwell should remain primarily served by on site water and wastewater systems, however consideration should be given to other alternatives such as public services in very limited areas and also, emerging technologies such as on site wastewater treatment facilities."

There is a growing experience of residential developments recycling wastewater to be utilized as irrigation and this is an example of opportunity for partnerships between agriculture and private investment in residential management. Residential, commercial and industrial development can all be partnered with properly managed agricultural systems to provide employment, food, energy, environmental buffering, and waste reduction and reutilization. The Agricultural Retention Plan should include resources to direct interested citizens to projects and practices that provide innovative solutions to global and local problems, such as groundwater depletion, groundwater contamination, increasing utility costs and lack of funding for Agricultural Capital Improvements. By actively partnering Agriculture and Development Capital West Amwell can promote agricultural investment and local sustainability with each new subdivision.

IX: Strategies to encourage participation in State and Federal Farm Programs

As part of the Agricultural Retention Plan and regular updates there should be a Resource Guide published, providing information about relevant State and Federal Programs that farmers and land managers can access for assistance. As part of the regular business of the Agricultural Advisory Committee contacts should be maintained with the regional Natural Resources Conservation Service and efforts made to connect farms in need of assistance with available resources.

List relevant State and Federal Programs, ideally with cooperation of NRCS, list total acres in West Amwell engaged. This data could also be derived from Farmland Assessment records, though it might miss properties not filing for farmland assessment.